Cornyn amendment—a Republican amendment—will now give us a majority vote, an up-or-down vote, on the Levin-Reed amendment. I don't understand why he would agree to one standard for one Iraq amendment and then insist on a higher standard for a Democratic Iraq amendment. I think most Americans can see through that.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the first half of the time under the control of the Republicans and the second half under the control of the majority.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized.

BROADCAST FREEDOM ACT

Mr. DEMINT. Mr. President, I rise to speak in support of the Broadcast Freedom Act, which I offered along with my friends from Minnesota and South Dakota, Senators COLEMAN and THUNE. Some would say that the fairness doctrine is the perfect example of a regulation whose time has past. Others would say it is a regulation that was never necessary to begin with. In any event, it is certainly not a regulation that we need today. I think it is worth a brief recap of history of American mass media to show how utterly silly this doctrine would be if reinstated in today's environment.

In 1949, the year the fairness doctrine was created, there were 51 television stations in the United States. In 1985, when the doctrine was repealed by the FCC, there were 1,200. Today, there are nearly 1,800 television stations. The radio industry tells a similar story. In 1949, there were about 2,500 radio stations in the United States. In 1985, the number had grown to 9,800. Today, there are almost 14,000. There was significant growth of these numbers between 1985 and today. We need to understand why it is happening.

You see, it was in 1985 that the FCC said the following when it repealed the fairness doctrine:

> We believe that the interest of the public and viewpoint diversity is fully served by the multiplicity of voices in the marketplace today.

That was when we had far fewer radio and television stations. That statement was made over 20 years ago. The number of voices in the market was plentiful then. In the last two decades, those numbers have grown even larger—by 50 percent in television and over 40 percent in radio.

Keep in mind, too, that there was no Internet in 1985, and there was no satellite radio offering hundreds of channels nationwide. There was no digital television or radio allowing for multicasting. There were not even wireless phones, much less ones that could go on line and even carry video. Of course, nobody had yet heard of the podcast, blogging, or YouTube. All of this has now changed. It is easy to see that if the fairness doctrine was unnecessary in 1985 because of the multiplicity of voices, it is downright laughable today.

I also wish to speak to the fact that this doctrine, if reinstated, would have the opposite effect that its opponents tell us they seek. They say they want both sides of important issues presented with equal time. Well, what happens if nobody is available or willing to offer an opposing viewpoint? The answer, clearly, is that the discussion will not take place at all. And all the bureaucracy that is required to keep track of what someone said and what has to be responded to would cause most of these stations not to deal with important issues at all.

Commercial radio and television are businesses. They are on the air only as long as someone is willing to pay for advertising. Advertising is only attractive when someone is watching or listening. People watch or listen to things they find worth their time. If a radio or television station is prevented from airing programming on public issues or is forced to carry programming that may not suit their audience, they will have a very difficult time retaining listeners, advertisers, and ultimately their businesses. It is not in the public interest for the Government to force content on or prevent content from reaching the American people. The FCC recognized that in 1985, and we should all recognize it today.

Mr. President, I ask my colleagues to support the Broadcast Freedom Act, which prevents the FCC, now or in the future, from reinstating the arcane and damaging so-called fairness doctrine.

EARMARK TRANSPARENCY

Mr. DEMINT. Mr. President, I would like to speak now about the ongoing efforts in the Senate to block the earmark transparency rules.

It has now been 180 days since they were unanimously adopted by the Senate. Yet they still have not been formally enacted. Even worse, the majority wants to take them behind closed doors, where a conference committee can kill them in secret. They tried to kill these reforms on the Senate floor but failed. Now they are falling back to their plan B, which is to gut them in conference.

That is not how we should write a bill about openness, honesty, and transparency. I hope my friends on the other side will change their minds. These are Senate rules I am talking about, and there is no reason why we need to negotiate with the House. The House already has their earmark transparency rules. My friends on the other side should stop blocking earmark reform and stop trying to change these rules in secret so we can move on.

Americans have seen the ethical problems associated with earmarks. They have watched what happened to Duke Cunningham, and they have seen a number of Members of Congress forfeit their seats on appropriations committees due to conflicts of interest. Americans understand that lobbying and ethics reform will not be complete—in fact, it would be meaningless—if we don't do something to shine the light on earmarks. Let me repeat this because I think it is very important. Americans do understand that ethics reform is not complete without meaningful earmark reform.

Many of the reforms in the ethics bill address what people outside of Congress can do, but earmark reform addresses what we here in Congress can do. That is the difference. Americans want, more than anything else, Congress to be restrained and open about what we do. They want us to reform the way we spend their money and shut down the secret congressional favor factory. Nothing would do more to restore America's faith in their Government than enacting reforms that ensure their elected officials are not going to use their ability to spend Federal dollars to enrich their friends and supporters.

Mr. President, I wish to draw the Senate's attention to an article that ran this morning in The Hill newspaper about earmarks—earmarks that have not been properly disclosed. The majority likes to say they are complying with the rules, but that doesn't appear to be the case. This story says:

> As a proposal to require full disclosure of all Senate earmarks languishes, Senators have not claimed responsibility for at least $7.5 billion worth of projects approved by the Appropriations Committee, according to an analysis by a budget watchdog group.

Obviously, the piecemeal approach being used by the Democrats is not working. We cannot allow appropriators and other committees to police themselves. They are not doing it now, and they never will. We need a single enforcement rule for the whole Senate that doesn't keep loopholes for secret earmarking. Let me repeat: $7.5 billion in earmarks already this year are undisclosed. This is business as usual in the Senate.

I wish to point out that the Defense authorization bill we are debating now violates the rules. It discloses the earmark sponsors, but the committee failed to post on the Internet the letters from these sponsors certifying that they do not have a financial interest in the earmark they have requested.

Before I conclude, I want to update the Senate on some progress we are making on earmark reform.